

### **REMARKS**

The above amendments are made in response to the Office action of June 26, 2008. The Examiner's reconsideration is respectfully requested in view of the above amendment and the following remarks. No new matter has been added, amendments have been made for purposes of clarifying the claimed invention.

Claims 5 and 6 have been amended. Support for the amendments to claims 5 and 6 may be found throughout the specification and figures as originally filed, specifically in FIGS. 3 and 6. Claims 2-4 and 33-35 have been cancelled. Claims 5, 6 and 36-40 are pending in the present application.

#### **Claim Objections**

Claim 6 stands objected to for informalities. The Examiner specifically states the limitation "transparent layer" lacks antecedent basis. The Examiner suggested amending the above limitation to read "transparent electrode". Applicant has corrected the informalities as suggested by the Examiner.

Applicants respectfully request that in light of the present amendments the objections to claim 6 be withdrawn.

#### **Claim Rejections Under 35 U.S.C. § 103**

##### **Claims 5 and 36-38**

Claims 5 and 36-38 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Abileah et al. (U.S. Patent No. 6,169,590, hereinafter "Abileah") in view of Jones et al. (U.S. Patent No. 6,124,907, hereinafter "Jones") for the reasons stated on pages 3-5 of the present Final Office action. Applicants respectfully traverse the rejections for at least the reasons stated below.

Abileah discloses a liquid crystal display including a first polarizer 32 disposed on a first transparent substrate 34, an active matrix 36 disposed opposite the first polarizer

32 with respect to the first transparent substrate 34, a second transparent substrate 40 disposed opposite the first transparent substrate 34, a second polarizer 56 disposed on the second transparent substrate, a liquid crystal layer 38 disposed between the transparent substrates 34 and 40, a color filter layer 42, 44 and 46, disposed on the second transparent substrate 40, a retardation film 62 (or 67, 68 and 70 in another embodiment) disposed on the color filter layer 42, 44 and 46, a transparent electrode 64 disposed on the retardation film 62 and an orientation layer 66 disposed on the transparent electrode 64. However, the retardation film 62 is always formed having a non-uniform thickness, or having discrete portions, each portion not covering the entire color filter (i.e., all color filter layers 42, 44 and 46), or both. (See FIGS. 16-19).

Abileah does not disclose, teach or suggest: **a single retardation layer having a cholesteric liquid crystal material disposed having a substantially uniform thickness on substantially the entire color filter layer, the retardation layer being configured to be coated on the color filter layer and fixed by an ultraviolet light** as claimed in amended independent claim 5, and similarly claimed in amended independent claim 6, of the present invention.

The Examiner alleges on page 4 of the present Office action that Jones discloses in column 8, lines 8-9 and column 12, lines 36-52 and FIGS. 1 and 9 a liquid crystal display apparatus comprising a retardation layer (element 17) having a cholesteric liquid crystal material, and is coated on the color filter layer and fixed by an ultraviolet light. The Examiner points to the introduction of chiral dopant into the material constituting the material of the retardation layer of Jones in order to teach the limitation that the retardation layer has a cholesteric liquid crystal material.

As discussed in response to a previous Office action, it is respectfully noted that Jones discloses a **polarizer** (17) intermediate an alignment layer (13) and a pixel electrode (15).

Jones fails to cure the defects noted above with respect to Abileah, namely, Jones does not disclose, to teach or suggest: **a single retardation layer having a cholesteric**

**liquid crystal material disposed having a substantially uniform thickness on substantially the entire color filter layer, the retardation layer being configured to be coated on the color filter layer and fixed by an ultraviolet light** as claimed in amended independent claim 5, and similarly claimed in amended independent claim 6, of the present invention.

Thus, it is respectfully submitted that independent claim 5, including claims depending therefrom, i.e., claims 36-38, respectively, are patentable over Abileah in view of Jones.

Accordingly, it is respectfully requested that the rejection to claim 5 and 36-38 under § 103(a) be withdrawn.

#### Claims 6, 39 and 40

Claims 6 and 39 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Abileah in view of Jones and further in view of Kaganowicz (U.S. Patent No. 5,011,268, hereinafter “Kaganowicz”) for the reasons stated on pages 5-8 of the present Office action. Applicants respectfully traverse the rejections for at least the reasons stated below.

As discussed above, Abileah, either alone or in view of Jones, does not disclose, teach or suggest: **a single retardation layer having a cholesteric liquid crystal material disposed having a substantially uniform thickness on substantially the entire color filter layer, the retardation layer being configured to be coated on the color filter layer and fixed by an ultraviolet light** as claimed in amended independent claim 6 of the present invention.

Kaganowicz discloses an inorganic alignment layer for liquid crystal devices. The apparatus of Kaganowicz includes a liquid crystal layer 11 disposed between oppositely disposed insulating substrates 12 and 13, transparent electrodes 14 and 15 disposed on interior surfaces of the insulating substrates 12 and 13, respectively, and

alignment layers 16 and 17 disposed on the transparent electrodes 14 and 15, respectively. (See FIG. 1 and column 3, line 66- column 4, line 22).

Kaganowicz fails to cure the defects noted above with respect to Abileah in view of Jones, namely, Kaganowicz does not disclose, to teach or suggest: **a single retardation layer having a cholesteric liquid crystal material disposed having a substantially uniform thickness on substantially the entire color filter layer, the retardation layer being configured to be coated on the color filter layer and fixed by an ultraviolet light** as claimed in amended independent claim 6 of the present invention.

Thus, it is respectfully submitted that independent claim 6, including claims depending therefrom, i.e., claims 39 and 40, are patentable over Abileah in view of Jones and Kaganowicz.

Accordingly, it is respectfully requested that the rejection to claim 6, 39 and 40 under § 103(a) be withdrawn.

**Conclusion**

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

Applicants hereby petition for any necessary extension of time required under 37 C.F.R. 1.136(a) or 1.136(b) which may be required for entry and consideration of the present Reply.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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